IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

WP(C).No. 33516 of 2007(M)

PETITIONER:

M.N.DEVADAS, S/O.NARAYANAN,
SHYAM NIVAS, KIZHAKKUMURI,
PERUNNA VILLAGE, CHANGANACHERRY
TALUK, KOTTAYAM DISTRICT.

BY ADV. SRI.MATHEW JOHN (K)
SRI.AJEESH K.SASI

RESPONDENTS:

1. THE CIRCLE INSPECTOR OF POLICE
MALLAPPALLI POLICE STATION
MALLAPPALLI P.O., PATHANAMTHITTA.

2. SHAJI, S/O.KUMARADAS, VALUVELI COLONY,
NOW RESIDING AT ANICKADU VILLAGE,
MALLAPALLY TALUK - 689 544.

BY GOVT. PLEADER SRI.P.A.SALIM
BY ADV. SRI.THOMAS T.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.Balakrishnan Nair &
K.P.Balachandran, JJ.

W.P.(C)No. 33516 of 2007 M

JUDGMENT

Balakrishnan Nair, J.

This Court has already passed an interim order in favour of the petitioner on 19.11.2007. The learned Government Pleader, upon instructions, submits that the dispute is only regarding loading of granite stones using mechanical devices. Therefore, no further orders are required in this writ petition. If there is obstruction claiming 'Nokku Coolie', such obstruction shall be removed by the police. But, this order will not affect the powers of the statutory authorities to proceed against the quarrying, if the same is done in violation of law nor the rights of the persons in the neighbourhood to seek reliefs, if the same is causing nuisance to them or causing environmental degradation.

The writ petition is disposed of as above.

(K.Balakrishnan Nair, Judge)

3rd December, 2007

(K.P.Balachandran, Judge)

tkv